GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Higher Education Department - Sri Ch. Ravindra, Principal, Government Polytechnic, Gudur, Nellore District – Removed from service – Cancellation of removal orders – Deemed to be placed under suspension - Orders – Issued.

HIGHER EDUCATION (TE) DEPARTMENT

G.O.Rt.No.167 Dated: 12 -07-2016.
Read the following:-

1. GO.Ms No.25, Higher Education (TE) Dept., dt.8.5.14.
2. Orders of Hon'ble APAT in OA No.3267/14, Dt.27.04.2015.
3. Govt. Memo No.9164/TE.A1/2004, Dt.16.07.15.
4. Orders of Hon'ble AP High Court in W.P. No. 11148/2016, Dt.21.4.2016.
5. From the CTE, AP, Hyderabad, Letter No.C1/5403(a)/2013, Dt.20.04.2016.

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ORDER:

In the reference first read above, orders were issued removing Sri Ch. Ravindra, Principal, Government Polytechnic, Gudur, SPSR Nellore District from service for his misbehavior with women employees, during his tenure as Principal. Government Polytechnic, Bellampally, Adilabad District.

2. The individual has filed O.A No.3267/14 in the Hon'ble A.P. Administrative Tribunal. The Hon'ble Tribunal vide orders dt.27.04.2015 set-aside the G.O.Ms. No.25, Higher Education Dept., dt.08.05.2014, has directed the respondents as follows:-

> "to reinstate the applicant into service forthwith with all consequential benefits, including arrears of salary and seniority for the period during which he was under dismissal. Since the incident lead to enquiry which relates to 2004 and the applicant is acquitted by the competent Criminal Court and that he is nearing his retirement. I am of the view that there is undue delay in concluding the enquiry. In these circumstances, I am also of the view that the respondents should not be permitted to conduct de novo enquiry against the applicant. Hence they are precluded from doing so. The VMA is dismissed and the CA is closed".

3. Government after examination of the above orders, decided to file appeal before Hon'ble High Court of A.P. Accordingly, and as per the directions of Government, the Commissioner of Technical Education, A.P has filed WP No.11148/2016 in the Hon'ble High Court of A.P., and the Hon'ble High Court observed and passed orders as follows:

> "On a careful consideration of the facts of the case and the reasons assigned by the Tribunal, we do not find any reason to interfere with the first part of the impugned order, whereby it has set aside the removal order. However, we are not in agreement with the later part of the order of the Tribunal whereby it has restrained the petitioners from holding fresh enquiry. While ordinarily an employee shall not be subjected to prolonged enquiry, here is a case where serious allegations of misconduct towards a subordinate employee were made against respondent No.1. While we are not inclined to express our opinion on the delinquency or otherwise of respondent No.1 at this stage, we are however of the opinion that considering the nature of the allegations, respondent No.1 cannot be allowed to get away without being subject to further enquiry. The learned counsel for respondent No.1 has also fairly conceded to this extent.
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> "In the light of the above facts of the case, the Writ Petition is partly allowed. The order of the Tribunal to the extent of dropping all further proceedings is set aside. The petitioners are directed to hold a fresh enquiry as per the procedure prescribed under the Rules, complete the same and pass appropriate orders within three months from the date of receipt of this order. As a sequel to disposal of the Writ Petition, WPMP.No.14071 of 2016 is disposed of as infructuous".

4. Government after careful examination of the matter keeping in view of the orders of the Hon'ble High Court in W.P. No.11148/2016 dt.21.4.2016 hereby cancel the orders issued in GOMs.No.25, Higher Education (TE) Dept., dt.8.5.2015 removing Sri Ch. Ravindra, Principal, Government Polytechnic, Gudur, SPSR Nellore District from service. However, the individual shall be deemed to have been placed under suspension from the date of original order of removal and shall continue to remain under suspension until further orders, in terms of rule-8 (4) of APCS (CC&A) Rules, 1991. Further Government has decided to hold fresh enquiry against the individual Sri Ch. Ravindra, formerly Principal, Government Polytechnic, Gudur, SPSR Nellore District.

5. The Commissioner of Technical Education, A.P shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SUMITA DAWRA
PRINCIPAL SECRETARY TO GOVERNMENT

To:
The Commissioner of Technical Education, A.P., Hyderabad.
Copy to:
The individual through the Commissioner of Technical Education, A.P.,Hyderabad.
The OSD to M(HRD).
The Finance Department.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER